

AMENDMENTS TO LB 117

(Amendments to E & R amendments, AM7091)

1 1. Insert the following new section:

2 "Sec. 7. Section 28-707, Revised Statutes Supplement,
3 2004, is amended to read:

4 28-707. (1) A person commits child abuse if he or she
5 knowingly, intentionally, or negligently causes or permits a minor
6 child to be:

7 (a) Placed in a situation that endangers his or her life
8 or physical or mental health;

9 (b) Cruelly confined or cruelly punished;

10 (c) Deprived of necessary food, clothing, shelter, or
11 care;

12 (d) Placed in a situation to be sexually exploited by
13 allowing, encouraging, or forcing such minor child to solicit for
14 or engage in prostitution, debauchery, public indecency, or obscene
15 or pornographic photography, films, or depictions; ~~or~~

16 (e) Placed in a situation to be sexually abused as
17 defined in section 28-319 or 28-320.01; or

18 (f) Placed in or near the processing, cooking, or
19 manufacturing of methamphetamine.

20 (2) The statutory privilege between patient and
21 physician, between client and professional counselor, and between
22 husband and wife shall not be available for excluding or refusing
23 testimony in any prosecution for a violation of this section.

1 (3) Child abuse under subdivision (1)(a), (1)(b), (1)(c),
2 (1)(d), or (1)(e) of this section is a Class I misdemeanor if the
3 offense is committed negligently.

4 (4) Child abuse under subdivision (1)(a), (1)(b), (1)(c),
5 (1)(d), or (1)(e) of this section is a Class IIIA felony if the
6 offense is committed knowingly and intentionally and does not
7 result in serious bodily injury as defined in section 28-109.

8 (5) Child abuse under subdivision (1)(a), (1)(b), (1)(c),
9 (1)(d), or (1)(e) of this section is a Class III felony if the
10 offense is committed knowingly and intentionally and results in
11 serious bodily injury as defined in ~~such~~ section 28-109.

12 (6) Child abuse under subdivision (1)(f) of this section
13 is a Class III felony.

14 (7) Child abuse is a Class IB felony if the offense is
15 committed knowingly and intentionally and results in the death of
16 such child.".

17 2. On page 18, line 15, strike "and" and after "28-456"
18 insert ", and 28-707".

19 3. Renumber the remaining section accordingly.